

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHANTE ELLIS,

Plaintiff(s),

No. C 13-4071 PJH

v.

ORDER OF DISMISSAL

SCHOLASTIC BOOK FAIRS, et al.,

Defendant(s).

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Plaintiff having dismissed the individual defendants on December 5, 2013, and Magistrate Judge Ryu, by minute order filed February 25, 2014, having advised that the remaining parties have agreed to a settlement of this cause and that plaintiff on the record has agreed to a dismissal of this matter, IT IS HEREBY ORDERED that this cause of action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court, within sixty (60) days, with proof of service on the opposing party thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

If no certification is filed, after passage of sixty (60) days, the dismissal shall be **with** prejudice. The parties may substitute a dismissal with prejudice at any time during this sixty-day period.

IT IS SO ORDERED.

Dated: February 26, 2014



PHYLLIS J. HAMILTON
United States District Judge